

Page 1 of 2
1/12/05
BPT
J. O'NEILL

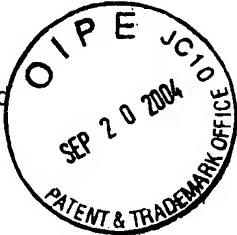


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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/826,584	04/16/2004	Robert Balzer	2004-001

Benedict O'Mahoney
1800 Embarcadero Road
Palo Alto, CA 94303



CONFIRMATION NO. 2981

FORMALITIES LETTER



OC000000013320470

Date Mailed: 07/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/21/2004 MBLANCO 00000002 10826584

01 FC:2001
02 FC:2051

10.00 OP
65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.
Applicant must submit \$ 10 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that they contain non-ASCII files. A new duplicate set of compact discs with only ASCII files is required. Any replacement compact disc submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set. If a directory of the disc could be printed, it is attached and non-ASCII files are marked on the directory listing.
- The compact disc(s) submitted fail to comply with 37 CFR 1.52(e) in that only a single copy of each disc was provided. A duplicate copy of each compact disc must be provided on Compact Disc-Read Only Memory (CD-ROM) or a Compact Disc-Recordable (CD-R) media. Any replacement compact discs submitted should be accompanied by a certification as required by 37 CFR 1.52(e) that each disc of a duplicate set is identical to the other disc of the set.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement claim(s) commencing on a separate sheet in compliance with 37 CFR 1.75(h) and 1.121 is required.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$75 for a Small Entity

- **\$10** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- *This application is objected to because it contains a data file on CD-ROM/CD-R, however, the transmittal letter does not list for each compact disc, the machine format, the operating system compatibility, a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc as required by 37 CFR 1.52(e)(3). A statement listing the required information is required.*

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

PF

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

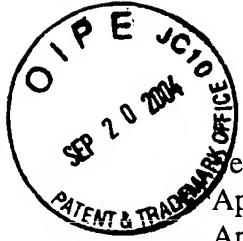
1 Directory of E:\

Bypass.txt	3 KB	4/13/04
BypassProtect.cpp	7 KB	4/13/04
BypassProtect.h	5 KB	4/13/04
InstallBypassDriver.exe	49 KB	4/13/04 }
ProtectedAllocator.h	4 KB	4/8/04
ProtectedSTL.h	5 KB	2/18/04
TamperProtect.cpp	13 KB	4/8/04
TamperProtect.h	7 KB	4/8/04
tek.wsd.sys	9 KB	4/13/04 }
TestApplication.cpp	4 KB	4/13/04
TestApplication.exe	69 KB	4/13/04 ?
w2k.lib.dll	49 KB	2/12/01 }

12 file(s)

Total filesize 215 KB

0 kilobytes free



In the United States Patent and Trademark Office

Serial Number: 10/826,584
Application Filed: 04/16/2004
Applicant(s): Robert Balzer and Neil Goldman
Application Title: By-pass and tampering protection for application wrappers
Examiner/GAU: 2127

Response to Notice of File Missing Parts of Nonprovisional Application

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to your Formalities Letter of 07/23/2004, please find enclosed the following items:

Filing Fee

Regarding the basic statutory filing fee being insufficient, please find enclosed a check in the amount of \$75.00, \$10 of which represents the required amount to complete the basic filing fee for a small entity.

Declaration for Utility or Design Patent Application

Regarding the missing oath or declaration, please find enclosed a Declaration for Utility or Design Patent Application that is properly signed.

Declaration Surcharge

Regarding the late filing fee or oath or declaration surcharge, please find enclosed a check in the amount of \$75.00, \$65 of which represents the required amount to comply with 37 CFR 1.27.

Submission of Compact Discs

Please find enclosed two compact discs, each containing the following ASCII text files that are compatible with the Windows operating system:

Name	Size	Type	Date Modified
Bypass.txt	3 KB	Text Document	4/13/2004 6:26 PM
BypassProtect.txt	7 KB	Text Document	9/1/2004 9:40 AM
BypassProtectHeader.txt	5 KB	Text Document	9/1/2004 9:41 AM
DrvInfo.txt	8 KB	Text Document	9/9/2004 3:34 PM
ProtectedAllocatorHeader.txt	4 KB	Text Document	9/1/2004 9:41 AM
ProtectedSTLHeader.txt	5 KB	Text Document	9/1/2004 9:43 AM
SpyWrite.txt	3 KB	Text Document	9/9/2004 3:33 PM
SystemServiceHook2.txt	3 KB	Text Document	9/9/2004 3:33 PM
SystemServiceHook.txt	1 KB	Text Document	9/9/2004 3:33 PM
TalkToKernelDriver2.txt	9 KB	Text Document	9/9/2004 3:32 PM
TalkToKernelDriver.txt	17 KB	Text Document	9/9/2004 3:31 PM
TamperProtect.txt	13 KB	Text Document	9/1/2004 9:43 AM
TamperProtectHeader.txt	7 KB	Text Document	9/1/2004 9:44 AM
tek_ew2.txt	21 KB	Text Document	9/9/2004 3:33 PM
tek_ew.txt	10 KB	Text Document	9/9/2004 3:32 PM
TestApplication.txt	4 KB	Text Document	9/1/2004 9:45 AM
utilities.txt	7 KB	Text Document	9/9/2004 3:31 PM
utils2.txt	28 KB	Text Document	9/9/2004 3:34 PM
utils.txt	5 KB	Text Document	9/9/2004 3:34 PM

Certificate of Identity

I certify that the enclosed compact discs labeled Copy1 and Copy2 contain the identical content.

Date: September 13, 2004

Claims Commencing on a Separate Sheet

Please find enclosed a replacement application wherein the claims commence on a separate sheet of paper.

Certificate of Mailing or Faxing

I certify that I will mail this correspondence with the U.S. Postal Service as First Class Mail in an envelope addressed to "Commissioner for Patents, Washington, D.C. 20231" on the date below.

Date: September 13, 2004

Thank you for your assistance with the application.
Sincerely,

Benedict O'Mahoney, Attorney for Applicant